

TOQUERVILLE CITY COUNCIL MINUTES

6:00pm Work Meeting, 7:00pm Regular Meeting

Thursday May 14, 2015

Held at 212 N. Toquerville Blvd, Toquerville Utah

ATTENDING: Mayor M. Darrin LeFevre, Council members: Brad Langston, Mark Fahrenkamp, Daren Cottam (arrived at 7:00 pm), Paul Heideman (arrived at 7:30 pm); Attorney Heath Snow; Staff and Zoning Administer Mike Vercimak, Planning Commission Chair Keen Ellsworth, Recorder Renee Garner, Treasurer June Jeffery, Public Works/ Maintenance Lance Gubler, ACSSD Representative Blair Gubler, and City Engineer Karl Rasmussen, Others: Annette Kleinman, Manning Butterworth, McKinlye Gubler, Wayne Olsen, Rebecca Goodman, Shane Perkins, Phil McLeod, and Kelle Stephens.

6:06 PM – MAYOR M. DARRIN LEFEVRE CONVENED THE WORK MEETING: Mayor stated that Ty was excused, Daren Cottam would make it at 7:00 pm and Paul Heideman would be a little later.

1. Ash Creek Special Service District Sewer (the district) Update: Blair Gubler a) announced the district will be cleaning out the sewer pipes sometime in the next three weeks. They will put out fliers. He explained how having regular clean outs keeps down the number of plugs and talked about how massive the system is throughout the district. b) He mentioned they had made a decision on whom to hire to fill Darwin Hall's position as supervisor. That will be announced soon.
2. Staff Report: Administrator Mike Vercimak a) told us that the Therapia Group is no longer trying to buy land in Shangri-La Valley. b) Darren Prince wants to open a youth transition recovery center and is looking to purchase a house on Westfield. They will have up to eight residents. Tom Kuhlmann told him eight was the maximum number for a recovery facility before sprinklers would be required. c) Mike mentioned that a bed and breakfast (B&B) and a preschool were on the Planning Commission agenda this month. Questioned about the Fire Marshall's letter, he responded that the last word was that ten and under were allowed without sprinklers for B&Bs and short term rentals. Questioned about short term rentals, Mike remarked that since Hurricane allowed them throughout the city they've been inundated with requests. Discussion on limiting the number of recovery facilities by distance apart, Mayor mentioned court cases in northern Utah where such laws are being challenged. He added that generally the city appreciated these facilities as good neighbors.
3. Planning Commission (PC) Update: Chair Keen Ellsworth reported what happened when PC discussed and voted on the short term rental ordinance and chose to recommend for passage to the City Council (council). There were only three members present, Keen Ellsworth, Alex Chamberlain, and Jerome Gourley. Keen and Jerome were both completely against passage due to issues like parking and enforcement of rules in a city with no police force. They had discussed property rights, the applicants versus the neighbors' and about creating a zone or overlay zone for short term rentals. He stated that it passed only because Jerome chose to allow it, trusting that council would weigh their decision carefully and choose the best option for the city. Keen advised that if council was contemplating passage they should strike "Condition Use" from 10-29-4, and add "Exception Waiver". Mike explained that conditional uses run with the land so the use would be allowed to continue when the property is sold if the city made them so. Keen asked council to add a provision for public hearing notice to neighbors similar to conditional use applicants and a section on adequate parking off the street. He admonished that bad law was worse than no law.
5. Mayor asked Brad Langston to discuss council input on final tree removal invoice for tree(s) in front of Ewells. Brad stated that they decided to take down two trees because the neighbor to Ewells was complaining about the same problem, i.e., damage to the sidewalks. Brad and Lance had inspected and found it to be true so they asked the arborist to remove both trees.

PRESENTATION: Miss Toquerville Royalty winner, McKinlye Gubler invited council to attend the Miss Toquerville Pageant on June 6, 7:00 pm, at the Hurricane Fine Arts Building. The theme is "Diamonds are a girl's best friend", and likening self-esteem and self-worth to the value and strength of a diamond under pressure.

4. Water/Maintenance Update: Lance Gubler covered maintenance, safety concerns, and work updates. a) Repair and replacing the cemetery fence by section, sand blasting and powder coating, we have 106 panels budgeted to be done this year. They are drilling holes in the bottom for drainage. The south side is done and east side progressing. b) Replaced 70 feet of sidewalk in front of Ewells on Ash Creek. c) The State Bridge engineer asked for bridge plans of the city owned bridges. Due to the bridge failures back east, the federal government is asking all states to check on bridge safety. Mayor said the Old Church Bridge (1997?) was done by Gary Davis; Zions Pky (2008) was engineered by Karl Rasmussen. He didn't know about the Center street (2004?), and Westfield bridges. Renee stated that she'd been looking for the plans and had also requested the county to look for their set.

Mayor closed the work meeting.

7:00 PM MAYOR M. DARRIN LEFEVRE CONVENED THE REGULAR MEETING: 1. Pledge was led by Council Daren Cottam, invocation given by Mayor M. Darrin LeFevre. 2. Mayor asked for statements of belief by the public, none given. 3. Mayor called on Council for disclosures or declarations of conflict, none given.

A. CONSENT AGENDA: Mayor LeFevre reviewed Consent Agenda and led discussion including the council meeting minutes of April 9, 2015, and April 28, 2015, and the April Expenditures. Mayor called for a Motion.

Motion by Brad Langston to approve the Consent Agenda including all the minutes for April 9, and 28, 2015, and the April Expenditures was second by Mark Fahrenkamp. Mayor asked for comment. None given, he asked for roll call: Brad Langston, Mark Fahrenkamp, and Daren Cottam, all Ayes. Consent Agenda approved unanimously.

PRESENTATION: An unscheduled presentation by Kelle Stephens of Dixie Applied Technology College. Mark Fahrenkamp is a member of their board. The college has been leasing their campus space since 2001. The state has awarded them with \$31.9 million dollars toward a new building. Saint George has donated the land. The cost will be \$45 million and the state is requiring them to come up with the total amount before their contribution is sent. She said one board member agreed to raise \$5 million, they had hoped to bond for another \$5 million, and they planned to short engineer another \$3 million out of the project. Now they are required to bring the whole \$13 million to the table in order to start. The college is asking for support from all the cities in the county. The county can apply for a bond on their behalf if they can have a promise of support from each community. Mark worked through the numbers and thought we could commit to \$2,000.00 per year for 20 years. He mentioned that southern Utah has a long history of donation and volunteerism for education. There are 40 Toquerville citizens currently attending. Discussion led to agreement for expressed support though an amount would have to be figured later. Daren C encouraged her to try to work with the state legislature to shorten the gap. Kelle listed the technology degrees currently offered: to support manufacturing there is C&C machining, industrial facilities maintenance, manufacturing operations, electrical and plumbing apprenticeships, and H-back. In medicine there is pharmacy technician, medical assisting, medical billing and coding, and certified nurse assistant. Then there is architectural, industrial, and mechanical drafting, office and graphic technology, and diesel. They are working on starting an auto tech and auto body program. They're just starting a culinary program. They have an emergency response series which offers EMT training, advanced EMT, paramedics, firefighting, and officer training. Kelle thanked the council for considering support.

PRESENTATION: The Tree Board representative was not present and this was skipped.

PRESENTATION: Legend Solar Presentation by Shane Perkins. Shane provided costs for providing solar to the Town Hall, the Park, two pump stations, maintenance shed, and the Cemetery sprinklers. He recommended allowing Legend Solar to whole ownership for eighteen months so they can collect the tax credits. Federal gives 30% of the cost and the state gives 10% of the gross cost up to \$50,000.00 for commercial. They would in turn reduce the cost to us. There is a 25 year warranty. There's no maintenance, and no batteries. The investment would be \$190,000.00 to do all of it. Rocky Mountain Power provides credits for kilowatt hours created by the system. Mayor expressed concern for its visibility on the roofs. Shane said they look much better than the once did. He recommended doing covered parking at the Town Hall to keep them off the Old Church roof. Shane said it would take thirteen years for us to break even on the cost versus savings on electricity. Mayor directed Lance to review the proposal and report back to Council. Mayor thanked Shane for coming.

PRESENTATION: Water, Parks and Roads Capital Facilities Plan by City Engineer Karl Rasmussen. He stated that the April 28th work meeting had given him good direction on impact fee plan and analysis for streets, water, parks, and trails. He reviewed the population projections from page 2, showing possible growth to 3,687 by 2040. This is a growth rate of 3.87%. Using these figures Karl could project the number of users and plan the impact fee amount in order to keep our level of service (LOS) the same as it is today. The current impact rates were established eight years ago.

Water: The existing level of service is similar to proposed because of our recent work in replacing 80% of the water pipes. Based on the equivalent residential connections (ERC) the total impact figured at \$2,961.79 to keep the LOS. Because of credit for future debt payment through our utilities billing we can reduce that by \$1,230.45 to \$1,731.34. Utah code states that cities should give this credit due to users' contribution to the bond via user payments. This makes the increase in water impacts less than \$200.00 dollars. Karl discussed the process of developing new areas. The city would require developers to create their own water source and system with a new tank. These would be done to our code and then the city would be able to take those over and the developer would be able to get impact credits.

Streets: LOS is figured on 50 foot right of ways, this includes storm drain utilities. One mile of our streets will have about 1000 feet of curb and gutter.

Parks: People per user are 3.07. Currently our LOS is about 12 acres per 1000 users but that level wasn't considered the norm. The LOS is based on 4 acres for every 1000 users. Using that rate, the recommendation is \$2606.72. This rate is comparable to other cities in the area. The city has hired landscape architect Bill Jackson to assist in developing our parks.

Trails: The concept is 23.55 miles of unimproved trails and 11 miles of improved trails. The improved trails would be 10' feet wide with sides sloped for drainage which would make them 20' feet wide. We are not allowed to use impacts to improve state roads. The average residential cost works out to \$7,695.00 per user.

Daren mentioned combining parks and trails. Karl explained why he didn't think that was a good idea and remarking that grants for trails and parks are usually separate.

For Water impacts, council agreed to \$1,730.00 for 3/4 inch meter line, \$3,075.00 for 1" inch, \$6,925.00 for 1 1/2" inch, and \$12,310.00 for 2" inch, and \$27,700.00 for 3" inch.

THE IMPACT TABLE:

Service	Existing Impact cost of LOS	Engineers Proposed cost of LOS	Council advised costs of LOS
Water	\$1,533.00	\$1,731.34	\$1,730.00
Streets	\$1935.00	\$2,367.81	\$2,365.00
Parks	\$829.00	\$2606.72	\$2,200.00
Trails	0	\$1,745.22	\$1,400.00
Totals:	\$4,297.00	\$8,451.09	\$7,695.00

Karl mentioned that we qualify for up to \$30,000.00 for engineering and environmental impact study for the drainage project we want to do on Hillside. June J added that we've applied for three grants: Reclamation for water lines, storm drain which is a pre-construction grant and the third one is for the drainage construction itself.

Mike Vercimak asked if the city had sent the capital facilities plan to someone for independent review. Mayor said not yet. Mark echoed that concern and all agreed to send the plan to Meg at Utah League of Cities and Towns for independent review.

B. PUBLIC HEARING: Mayor called for a motion to go into a public hearing to hear public comment on Capital Facilities Plans for Water, Parks, Trails, Roads, and Drainage, an Impact Fee Facilities Plan, Impact Fee Analysis and Impact Fees for Enactment for Water, Roads & Drainage, Parks and affiliated Trails within the entire City Limits of Toquerville City.

Motion by Mark Fahrenkamp to move into a public hearing to hear public comment on Capital Facilities Plans as stated was second by Brad Langston. All agreed unanimously.

Mayor asked for any comment, hearing none he asked for a motion to close the public hearing

Motion by Brad Langston to leave the public hearing was second by Daren Cottam. All agreed unanimously.

C. BUSINESS:

1. Item: possible motion regarding approval of the Tentative Proposed Budget for Fiscal Year July, 2015 thru June, 2016 and announcement of Public Hearing planned for June 11, 2015 to hear and take action on final proposed budget. June Jeffery talked about the changes made according to the direction of Council at the April 28th work meeting. She passed out reports to each member according to their departments and worked from the budget worksheet and the financial statement she provided. She had highlighted for easier reference all budget lines for the next year that had been changed.

On the revenue side under Fees for Services and Miscellaneous Revenue, the Building Permit Review, the Zoning & Subdivision Fees, Trash Collection, and Sales of Materials & Supplies were all brought up. The Appropriation of funds on page 2 was lowered to \$159,899.00. Under Administration there were several adjustments on projected costs.

On page 3 under Streets Department: Sidewalks Repair/Maintenance was brought down to \$10,000.00. At a question from Daren C, June J explained that Storm Drain Utility was set at \$35,000.00 for curb, gutter, and new sidewalk work on Rimview Drive in Toquer Hts. The Streets total from the General fund is \$87,100.00. Daren asked her to change Storm Drain Utility to \$15,000.00 and add the \$20,000.00 to Repair and Maintenance. June J explained that unallocated funds from the General fund were transferred to Capital Projects which includes street work so funds for projects will be pulled from that.

Utility Collections (trash) is estimated higher because of the county recycling proposal. June J created a department for administrative trails expenses to pay for supplies and wages. Page 4, the Capital Expenditures in Parks is up to help pay for the landscape architect and the master plan. The 24th of July line was renamed Other Celebrations. No funds were allocated but the item is there if necessary.

June J noted that Department 70 was shown to have \$60,000.00 which may be used for Streets in combination with the Street Impacts of \$70,000.00 and the Streets Department funds. She stated that the reclamation grant would be important for funding the Hillside road/drainage project. Daren C talked about the possibility of using the water depreciation funds, and asked Karl to send him his project estimates. Total General Fund revenue at \$849,375.00 included \$159,899.00 appropriation of funds which will lower our unallocated overage. She advised caution in spending it. Mayor remarked that we don't want to be corrected for overspending either. June J informed us that the amount of unallocated funds we were permitted to have was based on a percentage of total revenue. In our case we can be between \$34,000.00 – 172,000.00. She thought that if we're as high as \$200,000.00 we'd be in a good place because our revenue is increasing annually. June J estimated that this year we've so far spent \$603,000.00 and had brought in \$607,000.00 so if we'd expended the \$781,000.00 we'd budgeted to spend this year that would have been \$181,000.00 spent of our unallocated funds. That's a good thing but we don't want to get used to spending more money than we make. As we allocate those funds to Capital Facilities funds we avoid the auditor's correction but we cannot take those funds out again and use them somewhere else ever again.

Page 6, Impacts are used for growth and estimated on what we will use. Trails have been added to the list anticipating passage of the Capital Facilities plan in the future. Capital Projects funds can be kept from year to year and used as needed.

Water department shows total revenue projected to be \$306,800.00 with \$318,000.00 in expenditures not counting depreciation. We will be creating a PTIF account to move funds to depreciation at the end of the year after the audit when we know how much we have left. Depreciation fund may be used for a new tank in the future, for instance.

Mayor thanked June J and called for a motion.

Motion was by Daren Cottam to approve the Tentative Proposed Budget for Fiscal Year July, 2015 thru June, 2016, amending the Streets department Storm Drain Utilities and Maintenance lines as directed, and announce the Public Hearing planned for June 11, 2015 to hear and take action on final proposed budget and approve the mill levy.

Second was by Brad Langston. Mayor asked for comments. None given, Mayor called for roll call: Mark Fahrenkamp, Daren Cottam, Brad Langston, and Paul Heideman, all voted Aye. Motion to approve the Tentative Proposed Budget for Fiscal Year July, 2015 thru June, 2016 and announce the Public Hearing planned for June 11, 2015 to hear and take action on final proposed budget and approve the mill levy passed unanimously.

2. Item: possible motion regarding approval of the Capital Facilities Plans for Water, Parks, Trails, Roads, and Drainage.

Mayor called for a motion.

Motion by Daren C to approve the Capital Facilities Plans for Water, Parks, Trails, Roads, and Drainage was second was by Brad Langston. Mayor asked for comments. Mark asked if we'd like to follow staff's recommendation for an independent review. Heath responded that there was no time constraint to pass this now. If staff recommended an independent review, he thought council could table it until next month. Heath opined that the plan was innovative in not designating projects. This method has more flexibility. He welcomed input from the Utah League of Cities and Towns (ULCT). Mayor asked for a vote. This motion died for lack of support.

Mayor called for a new motion.

Motion by Daren C to table the Capital Facilities Plans for Water, Parks, Trails, Roads, and Drainage and ask for an independent review was second was by Paul Heideman. Mayor asked for comments. None given, Mayor called for vote: Paul Heideman, Brad Langston, Daren Cottam, and Mark Fahrenkamp, were all Ayes, Motion to table the Capital Facilities Plans for Water, Parks, Trails, Roads, and Drainage carried unanimously.

Karl mentioned that Utah code does allow this new concept. Instead of calling them projects they call them systems. He remarked that because we're a 5th level city we don't even need a capital facilities plan as long as what we do stands up in court. Heath answered that the ULCT would be seeing many of these from their position and their input would be valuable.

3. Item: possible motion regarding approval of Resolution 2015.XX Uniform Fee Schedule to amend Impact fees.

Mayor called for a motion.

Motion by Paul Heideman to table Resolution 2015.XX Uniform Fee Schedule to amend Impact fees was second by Mark Fahrenkamp. Mayor asked for comments. Hearing none, called for a vote: Mark Fahrenkamp, Daren Cottam, Brad Langston, and Paul Heideman, all Ayes. Motion to table Resolution 2015.XX amending the Uniform Fee Schedule carried unanimously.

4. Item: possible motion regarding approval to amend Title 5 by Ordinance (2015.XX), Dog Licensing Ordinance. Heath reported that his office had removed all the dog control issues from Title 5 chapter 1 and moved them to this separate chapter. The goal was to follow LaVerkin's code very closely which allows LaVerkin to administer our impounding issues without complication. Mayor asked for comments. Paul asked about defending life and property. Heath said that was under criminal and state code which allows self-defense. Brad asked if it was a no-kill shelter. Renee explained that it can be considered a no kill shelter as long as they manage to keep the number euthanized under a certain percentage. Keen asked that "Humane Society" be stricken from 5.4.3 subsection A-3. He didn't think they should be allowed to come on private property. He asked that 5.4.4 subsection A be reviewed. He didn't feel that licensing should be done yearly and he especially didn't like that it was a calendar year. He thought that 5.4.10 stating that the scent of an in-heat animal was regulated. That seemed unreasonable. In 5.4.11 subsection F he thought that an electric tether should be legal. Heath said that the way we keep dogs must be identical to LaVerkin's code, but we can take other things out like the scent of an in-heat animal. Mayor said we need to have an agreement in order to budget for their dog pound's services. Heath asked for feedback from council, from planning commission, and from anyone else, but he asked that we do it quickly as to give us time to run the final draft by LaVerkin. We want to make sure they're comfortable.

Mayor called for a motion.

Motion by Paul Heideman to table Ordinance (2015.XX), Title 5, Dog Control Ordinance was second was by Brad Langston. Mayor asked for comments. Hearing none, called for a vote: Mark Fahrenkamp, Daren Cottam, Paul Heideman, and Brad Langston, all Ayes. Motion to table Ordinance (2015.XX), Title 5, Dog Control Ordinance carried unanimously.

5. Item: possible motion regarding approval to amend Title 10 by ordinance (2015.XX) previously designated #ORD.2014.07, to allow under condition certain short term leases or rentals of properties in residential, agricultural and other zones. Heath reviewed the ordinance and PC's recommendations to amend it. 10-29-4, PC added D & E, defining short term rentals allowing no more than 2 persons per bedroom, and compliance to all applicable laws, rules, ordinances and regulations.

Mayor told him about the letter from the State Fire Marshall which stated that 10 and under persons in the establishment would not require sprinklers for fire suppression. Mark told Heath that they wished to strike the words "manager" and

“conditional use” from the title of 10-29-4 and add another line, “F. Applicant must pay for and provide notification to neighbors within a 300 ft radius for a public hearing”. Keen noted that PC's decision was not unanimous. In fact the vote was two to one against and after the motion Jerome changed his vote. Brad asked Keen to elaborate on his statement that bad law was worse than no law. Keen responded that parking was not addressed. Even though it limits occupancy to just two people per room, he felt it would be a matter of enforcement. The city can see that there are too many cars parked on the streets without knowing if the occupancy limit was being adhered to. Heath answered that he agreed with the concern which is why the city was limiting the exception to just local property owners. Keen talked about property rights, giving each person all the rights we can without impacting their neighbor's rights. Mark agreed with Heath that making the property owner a resident of the city was a heavy restriction. Heath gave the recorder language for “F”.

Mayor called for a motion.

Motion was made by Mark Fahrenkamp to approve ordinance (2015.XX), Title 10, to allow under condition certain short term leases or rentals of properties in residential, agricultural and other zones, making changes to remove “Manager” and “Condition Use” from the preamble of 10-29-4, and adding “F. In addition to the process required by chapter 23 for a home occupation permit, applicants must provide and pay for notice to be given to neighboring property owners within 300 ft of the property boundary of the home with the notice to give the date and time of the meeting where the home occupation permit will be considered”. Second was made by Brad Langston. Mayor asked for comments. None were given.

Mayor called for a vote: Paul Heideman and Daren Cottam voted Nay, Brad Langston, and Mark Fahrenkamp voted Aye. Motion to approve ordinance (2015.XX), Title 10, to allow under condition certain short term leases or rentals of properties had a tie vote which gave Mayor M. Darrin LeFevre the deciding cast.

Wayne Olsen asked to comment and Mayor consented. Wayne admonished council to not do anything they didn't feel comfortable with. He said that perhaps he was a one of a kind situation and advised them not to allow short term rentals just for him. Mayor asked for further discussion from council. Daren C was voting nay because this law was too restrictive. Mayor called on Rebecca Goodman who expressed her concerns for the downtown area, encouraging council to create code that would rejuvenate downtown. She felt homes on Toquerville Blvd were too small for good long term rentals and were becoming dilapidated.

Mayor voted Nay.

Mayor announced that the Motion was denied and did not pass. Keen remarked that planning commission will look at it again if assigned. Mayor stated that this draft was gone and short term rentals will not be allowed in Toquerville. The subject may come up again in future and may then need to be weighed with possibly new information.

6. Item: possible motion regarding approval for expenditure of funds for annexation professional fees and posting fees. Heath explained that some of the charges noted were for amending our current annexation policy plan to include the land we were planning to annex. Heath mentioned that there are additional recordation charges from his office that were not on the list. He was waiting to get the certificate of boundary change from the Lieutenant Governor's office and then we will record the plat at county. We'll then need to record two development agreements. There's already one against the property Jerry Eves' company owns, but we're also going to record another development agreement against another property leased from SITLA that will clearly identify the compensation paid to the city for power developed. There will be electricity generated by natural gas as well as windmills. They will pay us so much per megawatt of name plate power developed. That will go on the property so that even if Jerry isn't the one that develops the property the agreement will go with the land.

Mayor said Jerry Eves agreed to pay all the engineering fees with the understanding that the city would pay for our attorney and public notification costs. Jerry had originally asked us to pay for the engineering and he'd pay for the rest, but we weren't doing it fast enough so he asked to trade. That was done verbally. Mayor assured us that the engineering fees were equal to or more than the amount shown for attorney and posting fees.

Mayor called for a motion.

Motion was by Brad Langston to approve the city's expenditure of funds for annexation professional fees and posting fees up to this date with further fees open for discussion and approval at a later date. Second was by Mark Fahrenkamp. Mayor asked for comments. None given, Mayor called for roll call: Paul Heideman, Brad Langston, Daren Cottam, and Mark Fahrenkamp, all voted Aye. Motion to approve the city's expenditure of funds for annexation professional fees and posting fees passed unanimously.

7. Item: possible motion regarding ratification of approval to expend funds for tree removal (Ewell- Ash Creek Dr X Center) up to \$1,000.00. Mayor stated that this was already explained by Brad in work meeting and approved by council's vote on the consent agenda so no action is required.

8. Item: possible motion regarding ratification of approval to expend funds for park parking lot and City Office parking lot sealing and striping. Mayor explained that these projects were discussed in past reports to council but anything over \$2,500.00 need to be approved by action. Daren C talked about the need we had to have the work done.

Mayor called for a motion.

Motion was made by Brad Langston to approve the expenditure of funds for park parking lot and City Office parking lot sealing and striping. Second was made by Paul Heideman. Mayor asked for comments. Hearing none, called for a roll call: Brad Langston, Daren Cottam, Mark Fahrenkamp, and Paul Heideman, all Ayes. Motion to approve the expenditure of funds for park parking lot and City Office parking lot sealing and striping carried unanimously.

9. Item: possible motion regarding approval of Resolution #RES.2015.XX Washington County Special Service District #1 Designation of Representative to Solid Waste Administrative Control Board.

Mayor called for a motion.

Motion was by Brad Langston to approve Resolution #RES.2015.XX Washington County Special Service District #1 Designation of Representative to Solid Waste Administrative Control Board. He designated himself. Second was by Paul Heideman. Mayor asked for comments. Hearing none, called for a vote: Mark Fahrenkamp, Daren Cottam, Paul Heideman, and Brad Langston, all Ayes. Motion to approve Resolution #RES.2015.XX Designating Brad Langston at our Representative to Washington County Special Service District (Solid Waste) Administrative Control Board carried unanimously.

10. Item: possible motion regarding approval of Resolution #RES.2015.XX South West Mosquito Abatement Designation of Representative to Executive Board. Discussion of whether Daren C will continue. He agreed.

Mayor called for a motion.

Motion was made by Paul Heideman to approve Resolution #RES.2015.XX South West Mosquito Abatement Designation of Representative to Executive Board, Daren Cottam so designated. Second was made by Brad Langston. Mayor asked for comments. Hearing none, called for a vote: Paul Heideman, Brad Langston, Ty Bringham, Daren Cottam, and Mark Fahrenkamp, all Ayes. Motion to approve Resolution #RES.2015.XX assigning Daren Cottam to the Executive Board as the South West Mosquito Abatement Representative carried unanimously.

11. Item: possible motion regarding approval to amend Title 5 Chapter 1 by Ordinance (2015.XX), Animal Ordinance removing all reference to dogs. Heath advised tabling this with the dog control ordinance and passing them together.

Mayor called for a motion.

Motion by Brad Langston to table Ordinance (2015.XX), Title 5 Chapter 1, Animal Ordinance removing all reference to dogs was second was by Paul Heideman. Mayor asked for comments. Hearing none, called for a vote: Mark Fahrenkamp, Daren Cottam, Paul Heideman, and Brad Langston, all Ayes. Motion to table Ordinance (2015.XX), Title 5 Chapter 1, Animal Ordinance removing all reference to dogs carried unanimously.

12. Item: possible motion regarding approval for support and contribution to Washington County for bonding the balance of funds for design and construction of the DXATC new permanent campus; Amount of support to be determined and approved at a later time.

Mayor called for a motion.

Motion was by Brad Langston to approve show of support and contribution to Washington County for bonding the balance of funds for design and construction of the DXATC new permanent campus; Amount of support to be determined and approved at a later time. Second was by Daren Cottam. Mayor asked for comments. Hearing none, called for a vote: Mark Fahrenkamp, Daren Cottam, and Brad Langston were all Ayes, Paul Heideman voted Nay. Motion to approve show of support and contribution to Washington County for bonding the balance of funds for design and construction of the DXATC new permanent campus passed, with the amount of support to be determined and approved at a later time.

D REQUEST FOR AGENDA ITEMS: June 11, 2015 Work and Regular Meeting 1) Public hearing and action on amended budget for current fiscal year 2014-2015, 2) public hearing and action on final proposed budget and approve the mill levy for proposed budget of fiscal year 2015-2016, 3) action on Dog Pound service agreement with La Verkin City, 4) action to amend Title 5 by ordinance 2015.XX updating section on dog control, 5) action to amend Title 5 by Ordinance (2015.XX), animal ordinance excluding dog control issues, 6) action on Capital Facilities plan for Water, Parks, Trails, Roads, and Drainage, 7) action to approve Resolution 2015.XX Uniform Fee Schedule to amend Impact fees and possibly dog licensing fees, 8) action on a development agreement on property leased by Windsong Energy from SITLA identifying compensation paid to city for power developed by natural gas as well as windmills, 9) action to allow St George Astronomy Group a fee waiver/remittance for April 25 Astronomy Day at the Center Street City Park, 10) work meeting discussion on beautification committee duties and limitations by Brad Langston.

E. CITY DEPARTMENTS AND COUNCIL REPORT TO THE CITY:

1. Subdivisions/ Water Dept./ Park Maintenance/Park Committee; Mark Fahrenkamp told us that someone had recently used the park for a reunion and had called to thank us and remark on its beauty.

2. Culture & Recreation/ Sewer District/ Beautification Committee; Paul Heideman reminded us that Miss Toquerville Princess McKinlye Gubler had invited us to their pageant on June 6th and he hoped we'd all come.

3. Streets/ MPO/ Risk Management/ Confluence Park/ Mosquito Abatement; Daren Cottam asked if the city would send a letter to all Toquerville Blvd property owners asking them to clean up their properties. Brad Langston thought it should be an invitation for us to help them or a letter of encouragement rather than a demand letter. Daren C remarked that Andy Tompkinson was working hard on his yard. Lance remarked that he was putting deep water drip systems on our trees and will put flowers in the strip in front of the City Hall. He thought that might encourage others to do better.

Heath said we could send invitations for spot areas and have focus areas. Mayor said he'd rather we didn't have an open house but just a letter asking them to work on their yards. He felt it would cause less jealousy. Daren C said he'd write it up, Mayor would approve it and Renee would send it out. Daren C reiterated his concern for the degradation of property along Toquerville Blvd.

4. Economic Development/ Emergency Preparedness/ Water Dept. Asst:/ Safety Committee; Ty Bringhurst was absent.

5. City Hall Maintenance/ Cemetery/ Solid Waste/ Fire District/Tree Board; Brad Langston a) reported that he was talking to Rose English about removing a small blue spruce from next to her family's grave stone. She was not happy about the idea. She said her fir was planted before the city planted the Arizona ash near it. She said the tree was 20 years old and it's only five feet tall. Mayor opined that the city should never take out any trees ever. b) The Solid Waste board meeting had some conflicts because the Dixie Waste that won the contract for the recycling plan didn't give much of a discount to the cities that voted to have mandatory recycling. That made Ivins and Santa Clara angry and they threatened to pull out. Brad mentioned that if we had 70% participation the cost would go down by about \$1.00 from \$4.00 to \$2.90. He hoped to shoot for that in Toquerville. c) For the Fire District news, it looks like Hurricane City will be joining in July. The District will reconfigure the board and raise the levy by about \$30.00 per year. There will be a truth in taxation bond.

6. Attorney's Report; Heath Snow had reported his concerns earlier during C-6 about the annexation agreements.

7. Mayor M. Darrin LeFevre a) remarked that the man who owns the property where our road goes up to the tank/shed off Cotton Gin has approached the city and offered to sell us the land. There's three acres under and to the north of the tank and another six to the east of the tank going straight up the hill. We have a prescriptive easement he signed for the road. Council didn't think it was a good deal as priced around \$60,000.00 - \$100,000.00. b) Mayor asked about the switch over of the City Hall outside lights to LED. He asked Lance and Renee to follow up on that. c) Lance said Scott Goodman asked about curb gutter and sidewalk on Toquer Blvd between Westfield and Center. Mayor answered that Karl was working on it, but we might be able to wait on starting that project. d) Sheriff had reported graffiti on the historic dance hall next to I-15. The property owner gave us permission to paint over it. He asked if we wanted to do that. He said graffiti breeds graffiti. Lance concurred. Council agreed to have it done.

ADJOURNMENT: Mayor called for a Motion to Adjourn.

Motion by Paul Heideman to adjourn the public meeting was second by Brad Langston. Mayor asked for a vote: Mark Fahrenkamp, Daren Cottam, Paul Heideman, and Brad Langston, all Ayes. Mayor stated the motion passed unanimously. Mayor adjourned the Toquerville City Council Meeting.

Minutes of the 5-14-15 Toquerville City Council Meeting will be presented for review and approval at the June, 2015 City Council Mtg.

Approved: _____

M. Darrin LeFevre, Mayor

Date: June 11, 2015

Attested: _____

Renee S. Garner, City Recorder

